REMARKS

The Examiner is thanked for his careful review of the present application. The rejections

of the last Office Action will be addressed in turn.

First, the Examiner has entered a rejection of certain claims under 35 USC § 112.

Specifically, Claim 45 recites "forming a list of the selected one or more items of information...

without including the selected one or more items for which the selected further information has

not been received." The Examiner has indicated that he cannot find support in the specification

for this limitation. Applicants traverse. The specification indeed does support this limitation,

and the Examiner is mistaken. See page 10, first paragraph (describing figure 5 and an

embodiment in which a device has received the selected information).

Second, the Examiner has entered several Section 103 rejections. The cited references

include the following:

Zarom	6,356,529
Horvitz	6,182,133
Blount et al.	6,070,184
Lambert et al.	6,038,601
Saksena	6,023,726
Slotznick	6,011,537
Deo et al.	5,973,612
Nielsen	5,903,727

The claim rejections will be addressed in turn.

First Rejection

Claims 18, 19, 22, 23, 26, 33, 35, 37-39 and 44 are rejected over Blount in view of

Slotznick and Saksena. This rejection cannot be maintained. The Blount, Slotznick and Saksena

reference are internally incompatible, and it is not possible to maintain a rejection over a

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combination of these references except impermissibly in hindsight. Specifically, Blount purports

to operate by providing a system in which the server stores a request from a web browser that is

connected to the client. According to Blount, "in slow speed environments, the present invention

allows a user to upload several requests without waiting for responses to the requests and to

continue working while the requests are processed in the background." Column 3 line 52-56.

Blount thus appears to address the problems of network latency and intermittent connectivity,

and purports to set up these problems by caching the requests on the server side. Upon

connection, a list of stored requests are provided to the web browser for presentation to a user.

The Slotznick reference appears to disclose a system that is fundamentally different from

that of Blount. In Slotznick, information is segregated into so-called "primary" and "secondary"

information. In Slotznick, the primary information is conveyed to the user, and, at the user's

specific request, secondary information is then conveyed (see figs. 4 and 5).

Slotznick expressly differentiates the disclosed subject matter from other methods of

addressing network latency. As set forth in column 3, line 36, in describing what Slotznick

views as the conventional (non-inventive) practice, Slotznick states:

> To summarize current practice, all information is treated as primary information.
> Data that could be classified as secondary information is generally downloaded
> and displayed with primary information or downloaded in the foreground as a
> separate page of primary information.

These teachings are in contrast to the teachings of Blount. In Blount, all information is

treated as "primary information." This is exactly what Slotznick seeks to distinguish.

Because Slotznick differentiates itself from technology such as that disclosed in Blount,

the combination of Blount with Slotznick can be achieved only in hindsight.

Moreover, at least with respect to claims 33 and 35 and these claims that depend therefrom, there is another defect in the rejection. The Examiner points to the "indicator" feature of the subject claims as being taught by Slotznick. However, the recited portions of Slotznick relates to a system in which a "glimpse" of only <u>secondary data</u> is provided to the user. This is in contrast to the subject matter of Claims 33 and 35 in which a momentary display <u>of the further information</u> (or an icon) is presented. Slotznick does disclose a momentary display of information, but otherwise, the disclosure of Slotznick is dissimilar from that of the claimed invention.

The rejection of the subject claims also relies on Saksena, but Saksena is again not compatible with Blount or with Slotznick. To the extent understood, Saksena appears to be directed towards some sort of predictive pre-fetch system. In Saksena, the browser is constantly retrieving new pre-fetched information in the background (see col. 3, l. 30-31, "The free bandwidth of the client is taken advantage of by pre-fetching..."). As Saksena teaches, "typical users are based in their homes with internet access through modems." Column 1, line 15-16. Saksena is thus concerned with the problem of <u>slow</u> modem connections that are constantly connected, not <u>intermittently</u> available connectivity, as in Blount and Slotznick. The system of Saksena is incompatible with those of Blount and Slotznick, and is addressed to different concerns in a different operating environment. Blount and Slotznick are directed towards a system in which network connectivity is only intermittently available and which it would be undesirable to provide for a constant pre-fetching of documents.

The Examiner has selected multiple features from among several disparate references, but such does not constitute proper support for a rejection under Section 103.

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Second Rejection

Claim 17 is rejected over Blount, Slotznick and Saksena in further view of Deo, et al. This rejection suffers from the same defect as the previous rejection in that Blount, Slotznick and Saksena references are not compatible. The Deo reference is relied solely for its disclosure of an icon, which is used in connection with a paging system. It is unclear whether Deo would be properly combinable with the other references; in any event, this reference does nothing to overcome the deficiencies and incompatibilities of the three principal references.

Third Rejection

Claims 20 and 21 are rejected over Blount Slotznick, and Saksena in view of so-called admitted prior art. Again, applicants traverse. As before, the three principal references cannot be combined except in hindsight. Moreover, as to the so-called admitted prior art, this rejection is not proper. Although the general concept of ordering or reverse ordering responses to requests on a list of results may be known, this concept is not known in the context of claims 20 and 21.

Fourth Rejection

Claim 24 is rejected over Blount, Slotznick, Saksena, and Lambert. Again, the rejection is traversed for the same reasons as the earlier claims. As before, the Lambert reference does not overcome the deficiencies and incompatibilities of the three principal references.

Fifth Rejection

Claim 27 is rejected over Blount, Slotznick, and Saksena in view of Zarom. The Zarom reference is relied on solely for the notion of a WAP device; this reference again fails to meet the deficiencies of the remaining cited references. Also, a WAP device appears incompatible with at least Saksena. This rejection is improper and must be withdrawn.

Sixth Rejection

Claim 30 is rejected over Blount in view of Saksena (the Slotznick reference is not mentioned). Again, Saksena and Blount are inconsistent, and the rejection is improper.

Seventh Rejection

Claim 40 is rejected over Saksena alone. Saksena does not disclose displaying the first further information on the display on receipt of the first further information in response to a first request. The Examiner expressly acknowledges this, but asserts that this feature is obvious. Applicants traverse. This feature is antithetical to the purpose of Saksena, and is not obvious thereover. Specifically, Saksena operates in a pre-fetched environment, in which web pages are cached locally for faster access. There is no suggestion in Saksena that the pre-fetched pages would be displayed on receipt. Indeed, Saksena contemplates the pre-fetching of plural documents (see, e.g., col. 4, l. 60, referencing a maximum number of documents to pre-fetch). If each of these documents were to be displayed on receipt, the user's display quickly would become inoperable. Accordingly, claim 40 is patentable over Saksena.

Eight Rejection

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Claims 41 and 42 are rejected over Blount, Slotznick, Lambert and Horvitz. Again, applicants traverse this rejection. Blount and Slotznick are not compatible for other reasons heretofore stated. Additionally, the Horvitz reference, like Saksena, discloses the processing of page requests to pre-fetch and cache pages during periods of low processing time or when a web page is being displayed (see col. 3, l. 53-60). The Blount, Slotznick and Horvitz references are incompatible with one another, and the Lambert reference does nothing to overcome this deficiency.

Ninth Rejection

Claims 45 to 48 are rejected over Blount in view of Horvitz. For the reasons expressed above, Horvitz and Blount are not compatible, and this rejection also depends on hindsight logic.

Tenth Rejection

Finally, Claims 18, 19, 22, 23, 26. 33, 35, 37-39 and 44 are rejected over Blount in view of Slotznick and Nielsen. This rejection again relies on the combination of Blount with Slotznick, which is inappropriate. The Nielsen reference is relied upon for ancillary features of the claimed invention, and there is nothing to overcome the incompatibility of Blount with Slotznick. Nielsen appears to be concerned only with pre-fetching of certain sound files that are referenced in a web page. It is unclear how this technology would work rather with Blount or Slotznick, and in any event, the Blount and Slotznick reference are still incompatible.

In summary, all of the rejections in the Office Action rely on the selective choosing of features from a disparate collection of references. This is improper, as the subject references are combinable only in hindsight. None of the rejections are valid.

Applicants again thank the Examiner for his review of the application, but it is

respectfully submitted that all of the rejections entered in the Office Action are improper

and must be withdrawn.

Respectfully submitted,

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